

**IDAHO STATE ELECTRICAL BOARD MEETING  
February 16, 2006**

**MINUTES**

*Note: The following report is not intended to be a verbatim transcript of the discussions at the meeting, but is intended to record the significant features of those discussions.*

The Idaho State Electrical Bureau held a regular board meeting at the Division of Building Safety, “Main Conference Room”, located at 1090 E Watertower Street, Meridian, Idaho on February 16, 2006, and the meeting was called to order by Chairman, Tom Brown at 9:00 a.m. Those attending were:

**ELECTRICAL  
BOARD MEMBERS:**

Tom Brown, Chairman  
Greg Ford, Vice Chairman  
Al Frieze  
Dale Pippitt  
Chris Jensen  
Lee Riley  
Tim Phillips

**ELECTRICAL BOARD  
MEMBERS ABSENT:**

Kreg Davis  
Vacant – one position

**DBS-ELECTRICAL BUREAU  
STAFF MEMBERS:**

John McAllister, Administrator  
Steve Keys, Buildings Bureau Chief  
Gary Malmen, Electrical Bureau Chief  
Kay Christensen, Deputy Attorney General  
Jeff Fitzloff, Code Specialist/Outreach  
Al Caine, Licensing Specialist  
Lorraine Mallett, Administrative Assistant

**VISITORS:**

Dennie Seymour, North Idaho College  
Ed Loughney, SW ID Electrical JATC  
Marc Bernesen, IBEW Local 291  
Burton, Waite, Div of Prof-Tech Ed  
Bob Scott, Quality Electric  
James R. Weimer, E ID Elect JATC  
Jim Schmer, Boise City Inspector  
Bob Corbell, IEC/HVAC Assoc.  
Benny Antunes, IBEW 291  
Russell Hill, IBEW 449  
Stephanie Franks, Area 2 Inspector Supervisor  
Joe Andre, NEMA  
Jim Schmer, Boise City  
Alan Sorensen, Rydalch Electric  
John Cantrell, USDOL  
Ron Hanna, Power Plus  
Miles Berry, Power Plus

Robin Majors, NECA  
Bradley Stevens, Utah  
Dennis Meservy, Utah  
Jon Roholt, Idaho Power  
Jerry Peterson, Idaho Building Trades

## **MINUTES**

**MOTION:** Mr. Tim Phillips made a motion to approve the minutes of November 3 and December 20, 2005 as written. The motion was seconded by Mr. Greg Ford. Motion passed unanimously.

Chairman Tom Brown presented Mr. Jim Weimer with a plaque from the Division of Building Safety, Electrical Bureau and Electrical Board in appreciation of the effort and time he put forth working on the electrical exams and electrical schooling issues.

## **Administrator's Report**

Chairman Tom Brown acknowledged John McAllister, Administrator. Mr. McAllister informed the board that the supplemental budget had been approved, the Division of Building Safety is asking for more positions in the 2007 budget, and that the rules are currently under review by the Legislature.

## **ADMINISTRATIVE APPEAL (CIVIL PENALTIES)**

### **Ronald Hanna, Power Plus Inc.**

Chairman Brown advised the Board that he had asked Kay Christensen, Deputy Attorney General to be the hearing officer for appeals brought to the Board. Mr. Brown yielded the floor to Ms. Christensen who then described the process that would be followed. Mr. Al Caine would first walk through documents in the board packet; then Power Plus could ask questions about those documents or bring up other issues. The process is informal, with the Board able to ask questions of the bureau or the company involved.

Mr. Al Caine went through the documents in the Board packet giving a brief outline of the timeline involved in the failure to make corrections that the Notice of Violation No. 17994 was issued on. Ms. Christensen asked if the Board members had any questions at that time, hearing none, she then asked Power Plus if they wished to address the Board. Mr. Miles Berry then gave his version of the timeline and problems encountered. Board members asked questions to clarify aspects of the presented information from Power Plus and the bureau. Ms. Christensen then asked if anyone had further questions, and hearing none, told Power Plus that the Board would take the information under advisement and advise them of the Board's decision.

## **ELECTRICAL COMPLIANCE – N.O.V. LISTINGS & CIVIL PENALTIES**

Chairman Tom Brown then acknowledged Mr. Al Caine. Mr. Caine addressed electrical compliance issues referenced in the Board packet, including the listing of civil penalties that had been issued. Chairman Brown asked Steve Keys if the compliance officers that the Board has asked for, were likely to be approved. Mr. Keys answered that the legislators were concerned with the funding, and that the funding likely would go for inspectors instead of compliance officers. Many in attendance voiced concern that violations are becoming more common and are not being adequately addressed.

## **ELECTRICAL APPRENTICESHIP**

### **Curriculum Competency Review**

Chairman Brown moved on to Curriculum Competency Review and acknowledged Burton Waite from the Division of Professional Technical Education. Mr. Waite informed the board that he had brought the schools together (thirty to forty people), and gone through and reviewed the competencies. The competencies have been restated, after having not been rewritten since 1995. Mr. Waite was bringing this to the board for their review and approval as the basis for approving apprentice curricula.

**ACTION:** Board members will review submitted competencies and bring back to next meeting for a decision.

### **Related Training Correspondence Review**

The next item on the agenda concerned a review of related training by correspondence which includes computer based training. Chairman Brown stated that he would prefer apprentices be in the classroom and not in computer training. Board members brought up that the future will likely include more computer classes/simulations and that they think the industry will likely support more computer courses in the future. Correspondence courses are defined as pen and paper, with internet delivery involving computer simulations. Neither is mutually exclusive. As guidelines are developed they need to be brought back to the Board to be looked at.

**ACTION:** The schools will meet the day prior to the next Board meeting in Twin Falls, and will be prepared to discuss the issue further at either the May meeting or a subsequent meeting.

### **Electrical Apprentice Placement Procedures**

Chairman Tom Brown acknowledged Al Caine who briefly described the electrical apprentice placement procedures that have been updated as summarized in the outline included in the board packet. Two primary categories that the placement exam is given to are: 1) Out of state people with no school and 2) Ex-military people with electrical knowledge but no schooling and/or work experience. Placement assessments give incoming apprentices a starting point, and are not challenge exams. This process starts at the school first; the school documents everything about the applicant, and sends it to the Bureau where it is approved or denied. Last meeting Rosie Roscoe presented the outline and Board members were to review it and bring it back for a decision.

**MOTION:** Al Frieze moved to accept the Electrical Apprentice Placement Procedures, Greg Ford seconded the motion. Motion passed unanimously.

### **Continuation Training (2 year rule) to Re-register as an Apprentice**

Chairman Tom Brown acknowledged Al Caine who explained that this rule addresses the career apprentice, who never expects to become a journeyman. Justification of this rule is that it is an apprentice program not a cheap labor program. The apprentice must show proof of either having attended school in the last two cycles or register as an apprentice in a fourth year apprenticeship program called continuation training. Every apprentice must show completion of school in the prior two cycles or proof of registration in class for the upcoming cycle. Addressing the career apprentice, it will be a problem during this renewal year. There are 2400 apprentices and an estimated 1200-1400 of those are in school. About 250 have qualified to take the journeyman exam, but have not taken that exam. The bureau estimates about 1000 apprentices will be affected.

**ACTION:** Al Caine is going to visit every apprenticeship class that can get to within the state and will inform them of this issue. The bureau will send out flyers to contractors on the apprentice 2 year rule and on the inactive contractor status (if it passes in the legislature).

### **ADMINISTRATIVE RULES REVIEW**

Chairman Brown acknowledged Steve Keys who directed the Board to page 52 in the Board packet to review the following administrative rules:

**07-0102-0501 (Fee Rule) Rules Governing Fees for Electrical Inspections** (small job work permit) was approved.

**07-0104-0501 Rules Governing Electrical Specialty Licensing** (*Effluent pumps*) was approved.

**07-0104-0502 Rules Governing Limited Energy (Communications)** DBS asked for this rule to be rejected because of the outcry from the communication industry. Mr. Keys is working on getting the communication industry people together to meet, discuss and formulate what they want. Hope to have a proposal to bring to the board at the May Board Meeting.

**ACTION:** Put on agenda for May 11, 2006 Electrical Board Meeting.

**07-0106-0501 Use of National Electrical Code** passed.

**The previously vacated master license rules** were put back on agenda for Board to decide if it was going to readdress the issue. Greg Ford made the comment that he thought board was going to invite the industry to each of the board meetings around the state to have them give their input and try to get this issue resolved. It was suggested to put this issue on the May meeting agenda.

**MOTION:** Mr. Tim Phillips moved to put the Master license requirement on the May Electrical Board Meeting Agenda, motion was seconded. Motion passed unanimously.

### **LEGISLATION 2006**

Chairman Tom Brown acknowledged Steve Keys who informed the Board that there are two Legislation items that will affect the Electrical industry from the agency's viewpoint. House Bill 548 which has to do with establishing an inactive license for Contractors, has been introduced in the House Business Committee and sent to the floor with a do pass recommendation. House Bill 549 which has to do with staggering license renewals for electrical contractors and apprentices has gone to the floor with a do pass recommendation. Al Caine did comment on the need for some direction on what to do about the expired contractors license that are still within the window to reviving their licenses. That window will go away in July and the contractors would have to test to get an electrical contractor's license back. There are about 500 contractors that could be affected. Mr. Keys acknowledged that the expectation of the industry is that they would be able to revive their contractor's license. It is understood that the contractors would be outside of that year pending the date and maybe the enactment date could be reconsidered. The Board will need to work on a rule for the solution for this issue within a year.

**ACTION:** Bring back in May to find a solution.

Chairman Tom Brown invited Mr. Bob Corbell to speak on any legislation that he may know of that is going to be introduced. Mr. Corbell spoke about a piece of legislature that impacts the Plumbing industry. It is about plumbing apprenticeships, and it does away with some apprenticeship requirements. He is worried that if it passes that those requirements could be pushed onto the HVAC and Electrical trades. There is another bill that he has not seen that purports to do away with constant supervision for apprentices. The HVAC people have already deleted requirement for their apprentices.

Mr. Corbell next brought up the legislation that was trying to standardize the insurance and bonding requirements for all electrical, plumbing and HVAC contractors. House Bill 761 would require liability insurance in the amount of \$300,000, workmen's compensation insurance if applicable, and a new surety bond in the amount of \$10,000. This legislation is written in response to actions taken in the Legislature last year, when the House passed the removal of the bond from the HVAC and plumbing contractor licenses but it did not pass the Senate. Sponsors of HB761 came to an agreement with the insurance companies to come back this year with a legislation proposal to provide for a bond for all trades. The new bond format allows a consumer to file against that bond for lack of performance, non payment of subcontractors or suppliers, and for non payment of labor. Nothing has been formalized at this point, with Representative Black of the Business Committee intending to sponsor the legislation. As written, the bill applies to all of the trades including electrical and implementation would be July 2008. There is bonding like this already established in Washington State.

House Bill Number 551 increases the cost of Public Works Contractor's licenses. People might want to look at that and see how it could affect you as an individual. Current cost for Public Works Contractor's licenses range from \$75 to \$150, with a new ceiling of \$550 being proposed.

Other legislation coming forth includes one that makes the Boards: HVAC; Plumbing; and Electrical; responsible for approval of their respective apprenticeship training program. The question has been who really has that control? The bill was drafted and a hearing will likely be held in about two weeks. Basically this Board has this authority already because the Board determines licensure criteria. There is some opposition to this legislation. Concerns voiced were that Professional Technical Education, JATC, and other identities involved with schooling were not invited to participate in drafting this legislation.

Some parties worry that this legislation would further muddy the waters. Idaho Code 54-1006 and IDAPA 07.01.03013 already spells out the Board's responsibilities, while Title 33 enables the State Board of Education to deal with professional degrees less than a Bachelors degree. It was pointed out that the Electrical Board would not be developing the curriculum, but approving submitted curriculum. Identifying the curriculum is not a good measurement of skills in trade; end of course assessment deals with this issue. Chris Jensen went on record that he is opposed to this legislation. He stated that he thought there was misrepresentation that the industry or electrical board supported this legislation.

**MOTION:** Chris Jensen moved to actively oppose this Legislation as a board. No second, motion died.

The board meeting was adjourned for lunch so board members could think and discuss this legislation. Chairman Brown called the Electrical Board meeting to order at 1:10pm.

### **STRAY VOLTAGE/GROUNDING**

Chairman Brown acknowledged Tim Phillips, who then introduced Jon Roholt of Idaho Power, who came to give a Power Point presentation on stray voltage/grounding. Mr. John Roholt was thanked for taking the time to come and inform the board about Idaho Powers procedures on stray voltage/grounding. All found the presentation to be very informative and helpful.

### **LEGISLATION (continued):**

Chairman Tom Brown directed the Board back to the Legislation the House Business Committee would be introducing on the educational issue. Consensus of the Board after discussion was that Board already has authority, and the Board intends to continue doing business as usual. Legislation will just clarify that the Electrical Board has jurisdiction over apprenticeship curriculum.

### **MULTI-STATE RECIPROCITY AGREEMENT**

Chairman Brown introduced Dennis Meservy and Brad Stevens from Utah who wished to address the Multi-State Reciprocity Agreement. They asked "What was intent when Idaho withdrew from the multi-state agreement?" Board members answered that there was concern that other states did not have education requirements equivalent to those Idaho requires. They also reflected that it is not fair for Idaho students to go through all the schooling and then have someone come in from another state to reciprocate without any schooling at all. Idaho considered it time to raise the bar for standards in reciprocating with other states and at this time will be contacting equivalent states for individual contracts. Mr. Meservy expressed the concern that Idaho was not represented at the Multi-State Reciprocal meeting held in Montana last year, especially since Idaho was an originator of the Multi-State Reciprocal Agreement. Other commitments kept a representative from attending last years meeting, but Idaho would be happy to attend this year's meeting to discuss the decision. Mr. Meservy welcomed Idaho's participation, and stated that the meeting will be July 31 and August 1, 2006 in Salt Lake City, Utah. Mr. Meservy and Mr. Stevens also commented that Utah electrical contractors and workers are being greatly impacted from not having a reciprocal agreement between Utah and Idaho. Utah representatives did comment that the meeting to be held in Utah 2006 is going to be a meeting to address ideas for change and other issues.

**ACTION:** Board will make decision on who will attend the Multi State Reciprocal Agreement in Utah.

### **MONTANA & IDAHO JOURNEYMAN-RECIPROCAL LICENSING AGREEMENT (DRAFT)**

Chairman Brown acknowledged Al Caine who directed the Board to the draft of the Montana and Idaho Journeyman reciprocal licensing agreement on page 86. Mr. Caine explained that endorsements of licenses on an individual basis is a one way street, other states may not treat Idaho electrical individuals the same way unless reciprocal agreement has been accepted.

**MOTION:** Greg Ford moved to accept the Montana –Idaho Journeyman reciprocal licensing agreement, Chris Jensen seconded the motion. Motion passed unanimously.

### **MEMORANDUM OF AGREEMENT – STATE OF IDAHO PLUMBING, ELECTRICAL AND HVAC BOARDS**

Chairman Tom Brown updated the Board regarding the extension of Memorandum of Agreement among the Plumbing, Electrical and HVAC boards that the Board had previously approved. The Memorandum has been signed and extended until July 2007 to allow for legislation to be written remedying the concerns the memorandum addresses.

### **ELECTRICAL EXAMINATIONS**

Chairman Tom Brown acknowledged Al Caine to address electrical examinations. Mr. Caine informed the Board that the new exam agency, International Code Council (ICC) started in January 2006. He also stated that only a few tests have been administered at this time and then explained the process that an individual has to follow to be approved to take an electrical exam. ICC has responded well to the few issues that have come up. Laser Grade administers the test by computer and so far students have received this procedure well.

### **NATIONAL ELECTRICAL CODE 2005**

Agricultural Buildings Horse Barns (Article 547) – Chairman Brown acknowledged Jeff Fitzloff who gave a Power Point presentation on the proposed NEC 2008 change to code that addresses agriculture buildings Article 547.10, exempting horses. He informed the Board he attended the NEC code meeting in South Carolina for two weeks in January. The statement he submitted was rejected but the task group came up with different wording to clear language up and another proposal was submitted to address this issue. This proposal is unofficial at this time until the NEC 2008 codes have been printed. This doesn't help inspectors at this time, and Mr. Fitzloff said the Bureau needs board endorsement to interpret the code as proposed for the 2008 code change.

**MOTION:** Chris Jensen moved to endorse the code interpretation as suggested, Greg Ford seconded motion. Motion passed unanimously.

Swimming Pool Grounding (Article 680) – Chairman Brown directed the Board to page 96 in the packet that was an Electrical News Brief addressing swimming pool bonding. He thanked Jim Schmer, Jeff Fitzloff and any others that worked on getting the News Brief information together and distributed. It gives some guidelines to contractors on swimming pool grounding.

### **ELECTRICAL BUREAU FISCAL REPORTS**

Chairman Brown acknowledged Steve Keys who gave the Electrical Bureau Fiscal report that was on page 98 in the board packet. Mr. Keys reported on the revenues and expenses as of December 2005, and the Fiscal 2006 appropriation balances that will be impacted by the Supplemental request that was approved.

### **BOARD MEETINGS – 2006 SCHEDULE**

The Board was directed to page 115 in the packet to a 2006 calendar and the schedule for Board meetings for 2006 that had been set, to the following:

May 11, 2006 – Twin Falls

August 10, 2006 – Post Falls

November 9, 2006 – Nampa

Greg Ford informed the Board that on May 10, 2006 in Twin Falls at 1:00 p.m. a meeting (at destination yet to be determined) to continue dialogue on educational issues would be held.

Kay Christensen also asked Board members if they would like to meet at 9:00 am to do a short course on Board meeting training and responsibilities, before the meeting was open to the public. All board members were interested in such training.

**ACTION:** Board members will meet a half hour before Electrical Board meeting on May 11, 2006 in Twin Falls.

**OLD BUSINESS**

Kay Christensen requested the Board reach a decision on the Power Plus, Inc appeal. The Board could confirm the \$200.00 fine, decrease or increase the fine. Discussion was opened among the Board members. Consensus was that more specific communications were needed between the contractor and inspector but the initial violation was not corrected in the time specified, and that the penalty should stand.

**MOTION:** Greg Ford moved that the violation stand as written, Chris Jensen seconded motion. Motion passed unanimously.

**ACTION:** Letter to be sent to Power Plus, Inc stating the Boards decision.

**NEW BUSINESS**

Chairman Brown acknowledged Jim Weimer (talking as a private citizen), who stated he has concerns regarding the make up of the electrical board at this time. He would like to see the vacant journeyman position filled by a journeyman actually in the field. Kay Christensen suggested that Mr. Weimer send correspondence to the Governor's Office, since they are the one's that make the decision for the appointments. Others agreed that representation needs to be more diverse, with both non union and union representation.

**MOTION:** Chris Jensen moved to adjourn, motion was seconded. Motion carried unanimously. Meeting was adjourned at 3:15 pm.

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John A. McAllister, Administrator  
Division of Building Safety

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DATE

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Steve Keys  
Buildings Bureau Chief, DBS

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DATE

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Tom Brown, Chairman  
State of Idaho Electrical Board

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DATE